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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA

12 OAKLAND DIVISION

13 UNITED STATES OF AMERICA, )

No. CR-10-00628-SBA

14 Plaintiff, )

ORDER TO EXCLUDE TIME UNDER  
15 v. ) THE SPEEDY TRIAL ACT

16 KENNETH MASSEY, )

17 Defendant. )

19 The parties appeared for a hearing to appoint new counsel on September 14, 2010. The  
20 matter was continued to November 2, 2010 for status conference. The government is in the  
21 process of producing discovery. New defense counsel will require time to review the discovery.  
22 Based upon the representation of counsel and for good cause shown, the Court finds that failing  
23 to exclude the time between September 14, 2010 and November 2, 2010 would unreasonably  
24 deny the government and the defense the reasonable time necessary for effective preparation,  
25 taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court  
26 further finds that the ends of justice served by excluding the time between September 14, 2010  
27 and November 2, 2010 from computation under the Speedy Trial Act outweigh the best interests  
28 of the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time

1 between September 14, 2010 and November 2, 2010 shall be excluded from computation under  
2 the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv).

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4 DATED: September 14, 2010

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HONORABLE DONNA M. RYU  
United States Magistrate Judge

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